

Interior, Environment, and Related Agencies Subcommittee

Guidance on Submitting Requests for Congressionally Directed Spending (CDS)

The subcommittee will accept CDS requests within the following programs. Information about each program and the justification required for each project are explained in detail below.

1. WWI: EPA, State and Tribal Assistance Grants, Water and Wastewater Infrastructure
2. HPF: NPS, Historic Preservation Fund
3. SPF: USFS, State and Private Forestry, Forest Resource Information and Analysis

The subcommittee may also consider CDS requests within the following accounts, but only on a case-by-case basis. The subcommittee will consider the appropriateness of CDS spending for the project, history of the program and other federal spending, and availability of funding within the program, among other factors. Please note that any project that is included in the President's request or the fiscal year 2021 enacted Interior bill, and for which the request for funding is at or below the level in those documents, should be submitted with the Member office's programmatic requests. CDS requests are those requests for projects that are not included in the President's request or the FY21 enacted Interior bill or for project funding above the President's request or the FY21 enacted level (whichever is higher).

4. Projects on Agency Lists
 - LWCF: Great American Outdoors Act, Land and Water Conservation Fund
 - o BLM, Land Acquisition
 - o FWS, Land Acquisition
 - o NPS, Land Acquisition
 - o USFS, Land Acquisition
 - o USFS, Forest Legacy
 - LRF: Great American Outdoors Act, Legacy Restoration Fund
 - o BLM, Legacy Restoration Fund
 - o FWS, Legacy Restoration Fund
 - o NPS, Legacy Restoration Fund
 - o BIE, Legacy Restoration Fund
 - o USFS, Legacy Restoration Fund
 - LMCON: Land Management Agencies, Construction
 - o BLM, Construction
 - o FWS, Construction Projects, Line Item Construction
 - o NPS, Construction, Line Item Construction and Maintenance
 - o USFS, Capital Improvement and Maintenance, Facilities, Road and Trails
5. Land Management Agencies, Local Projects and Research
 - BLM, Management of Land and Resources, Habitat Management Priorities
 - NPS, National Recreation and Preservation, Statutory and Contractual Aid
 - FWS, Resource Management, Stewardship Priorities
 - USGS, Surveys Investigations and Research, Status and Trends
6. BIA, Operation of Indian Programs, Special Initiatives
7. EPA, Science and Technology, Research: National Priorities
8. EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

Specific information relating to making CDS requests is as follows:

I. WWI: EPA, State and Tribal Assistance Grants, Water and Wastewater Infrastructure

About the Program: The subcommittee anticipates that the vast majority of requests made to the Interior Subcommittee will be for water infrastructure grants to fund local wastewater and drinking water infrastructure projects. This includes construction of, and modifications to, municipal sewage treatment plants and drinking water treatment plants. The subcommittee will be limiting water infrastructure grants only to projects that are publicly-owned or owned by a non-profit entity. Privately-owned projects are NOT eligible for water infrastructure grants.

State and Local Projects

The subcommittee will accept CDS requests for local and/or municipal projects included on a state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan (IUP). In exceptional circumstances, the committee may consider projects that are eligible for funding under State Revolving Loan Fund (SRF) guidelines (detailed below), but are not on the state IUP list.

There is a minimum 20% cost share requirement for any state or local water infrastructure grant funded through congressionally directed spending. For example, a \$1 million project could receive a maximum of \$800,000 from the Federal government, with the remaining \$200,000 the responsibility of the grantee. In almost all cases, other federal funds cannot be used to meet this 20% cost share. Please note that only the non-federal portion of assistance provided by a State Revolving Loan Fund can be applied towards a project's matching requirement.

"Additional Subcommittee Fields": For State and Local Grants for Drinking or Clean Water Projects, Member offices **must** confirm this status with the state before finalizing your submission:

- Is the project on the state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan? **Required YES or NO**
- If the answer to the question above is NO, is the project eligible under SRF guidelines? **Required YES, NO, or N/A**

"Justification": Member offices must answer each of the following questions in numbered format:

1. What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
2. Is this request seeking funding for planning and design, construction, or both?
3. Is the preliminary planning and engineering design completed for this project?
4. When will this project be ready to proceed to construction?
5. What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
6. What is the amount requested for the project?
7. Please list any funding received from federal appropriations, including the fiscal year and source of funding (Clean Water SRF, Drinking Water SRF, STAG grants, USDA Rural Development Program, FEMA, or others)?
8. Does the community have a financing plan certified by an authorized local official demonstrating how it will cover the matching funds of 20% or more?
9. What are the anticipated non-federal sources of funding for this project?

Note that SRF projects have very specific eligibility requirements and the subcommittee will not consider projects that do not meet those requirements. The following table lists some of the project types that are ineligible for SRF funding:

Projects that generally are NOT eligible for SRF funding			
Clean Water / Waste Water		Drinking Water	
1.	Land, except for projects described in the subsequent table under eligibility #11	1.	Dams or rehabilitation of dams
2.	Operations and maintenance costs	2.	Operations and maintenance costs
3.	Non-municipal point source control	3.	Water rights, except if the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy or if the water rights purchase is covered by EPA's DWSRF Class Deviation for Water Rights 2019
4.	Acid drainage correction	4.	Reservoirs, except for finished water reservoirs and those reservoirs that are part of the treatment process and are located on the property where the treatment facility is located
5.	Ambient water quality monitoring	5.	Laboratory fees for monitoring
6.	Flood Control Projects, unless the project is otherwise managing, reducing, treating, or recapturing stormwater	6.	Projects needed mainly for fire protection
7.	Privately owned sewer pipes	7.	Projects for systems that lack adequate technical, managerial, and financial capability, unless assistance will ensure compliance
		8.	Projects for systems in significant noncompliance, unless funding will ensure compliance
		9.	Projects primarily intended to serve future growth

The following list provides some examples of the types of projects that are typically eligible for SRF funding and are most frequently funded. This list is not intended to be exhaustive.

Projects that generally ARE eligible for SRF funding			
Clean Water / Waste Water		Drinking Water	
1.	Wastewater treatment plants, including sludge handling facilities.	1.	Facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e. PFAS)
2.	Collector Sewers - Small sewers that convey wastewater from residences, commercial establishments, and industrial sites.	2.	Rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources
3.	Interceptor Sewers - Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility.	3.	Install or upgrade treatment facilities
4.	Sewer Pipes – Rehabilitation is only eligible if the pipes are publicly owned.	4.	Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system

5.	Outfall Sewer - A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters.	5.	Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or improve water pressure to safe levels
6.	Storm Water Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e. storm sewers, green infrastructure, etc.).	6.	Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons – are eligible for DWSRF assistance.
7.	Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control.	7.	Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection.
8.	Infiltration/Inflow Correction - Construction activities that prevent surface water or groundwater from entering the sewer system.	8.	Project planning, design and other related costs
9.	Water Security - Installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment.		
10.	Septic Tanks - Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks.		
11.	Land - The leasing and fee-simple purchase of land, including surface and subsurface easements, needed to locate eligible municipal or tribal projects, and land integral to the treatment process. Municipal purchase of land and/or conservation easements for source water protection are also eligible.		
12.	Water Reuse - Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water.		
13.	Capital Nonpoint Source Pollution Control Projects – e.g., river or streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc.		

Tribal Projects

For tribal projects, the subcommittee will accept CDS requests for projects included on the Indian Health Services' (IHS) Sanitation Deficiency System (SDS) list. In exceptional circumstances, the committee may consider projects that are eligible for funding under the Criteria for the [Sanitation Facilities Construction Program](#) but are not on the SDS list (see pg. 5-1 through 5-12 of the criteria).

“Additional Subcommittee Fields”: For tribal drinking or clean water facilities construction projects, Member offices **must** confirm this status before finalizing your submission in the following questions:

- Is the project on the IHS Sanitation Deficiency System list? **Required YES or NO**
- If the answer to the question above is NO, is the project eligible under the Criteria for the Sanitation Facilities Construction Program? **Required YES, NO, or N/A**

“Justification”: As applicable, Member offices must answer each of the following questions in numbered format:

1. What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
2. Is this request seeking funding for planning and design, construction, or both?
3. Is the preliminary planning and engineering design completed for this project?
4. When will this project be ready to proceed to construction?
5. What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
6. Please list any funding received from federal appropriations, including the fiscal year and source of funding (Clean Water SRF, Drinking Water SRF, STAG grants, USDA Rural Development Program, FEMA, or others), if applicable?
7. If applicable, does the community have a financing plan?

2. HPF: National Park Service, Historic Preservation Fund

About the Program: The Historic Preservation Fund (HPF), which was established to help fund the programs engendered by the National Historic Preservation Act (Public Law 89-665; 54 USC 300301 et seq.), was designed to preserve historical and archaeological sites in the United States of America. The subcommittee anticipates that most requests will be made within the HPF for the Save America’s Treasures (SAT) program. The subcommittee anticipates funds to be appropriated within each eligible activity within HPF alongside the competitive component. All HPF grantees must meet standards set by the Secretary of the Interior and comply with the [audit requirements](#), and each successful CDS recipient must complete an application through grants.gov. The subcommittee will accept CDS requests for non- formula funded activities within HPF that meet the qualifications of HPF programs, including eligible entities and activities. Please note that acquisitions of collections or historic properties are not eligible under the HPF. For more information, please visit [here](#).

“Additional Subcommittee Fields”: The subcommittee will only accept requests for properties or collections that are otherwise eligible for HPF grants. For example, SAT includes a requirement that the property is listed as an historic place on the National Register of Historic Places at the national level (properties listed at the state or local significance are not eligible for SAT) or as a National Historic Landmark. Other HPF programs have varied eligibility requirements. Member offices are encouraged to inquire with their State Historic Preservation Office to confirm level of listing (<https://ncshpo.org>).

- For HPF, if the request is for property, does the property meet the HPF program requirements of being listed, at the appropriate level, for the National Register of Historic Places or as a National Historic Landmark individually or as contributing to an historic district? **Required YES, NO, or N/A**

“Justification”: Member offices must answer each of the following questions in numbered format:

1. What type of entity is the recipient (e.g., non-profit organization, state or local government, educational institution, Federally-recognized Indian tribe, Alaska Natives, or Native Hawaiian Organizations)? **Please specify.**

2. Has the project received a previous federal grant in the past? For SAT, previous projects can be viewed here: NPS SatMap. Please answer one of the following: YES and note the year, the amount, and the federal program; or NO.
3. Please note that each program includes separate matching requirements; for example, HBCU grants do not require a match. If the request is for SAT, does the recipient have in place, or a plan to provide, the one-to-one match with non-federal cash and/or in-kind contribution? **Please answer YES, NO, or N/A.**
4. Would the requested project fund an eligible activity under the HPF? For example, for SAT, please visit here. **Please answer YES or NO.**

3. SPF: USFS, State & Private Forestry

About the Program: The State & Private Forestry account provides technical and financial assistance grants to non-federal forest landowners, including state, tribal and local governments. Activities within this account include forest health management, cooperative fire protection, wood innovation, and urban and community forestry. Requests must meet USFS eligibility requirements for the appropriate grant program. Project requests should be part of the state's Forest Action Plan, or contribute to meeting the goals of the Forest Action Plan.

"Additional Subcommittee Fields": Project requests should be part of the state's Forest Action Plan, or contribute to meeting the goals of the Forest Action Plan.

- For U.S. Forest Service, State and Private Forestry (SPF), is this project part of or contribute to the state's Forest Action Plan? **Required YES or NO**

"Justification": Member offices must answer each of the following questions in numbered format:

1. Does the project meet the eligibility and matching requirements as specified on the USFS webpage for the relevant grant program?
2. Does the USFS have the authority to provide funds to this project and/or recipient?
3. Is the project part of a state Forest Action Plan or otherwise ranked in a prioritized list (provide list name and rank)?
4. How does this project contribute to the state Forest Action Plan?
5. What is the federal nexus for this project and why should there be a federal funding component?
6. Has this project received previous federal funds (provide year, amount, and program)?
7. What is the total cost of the project? Are there matching funds or partner contributions?
8. What is the timeline for this project?
9. Describe how the project will conserve and steward working forests or open space, protect forest health from insects and disease, meet urban and community forestry goals, create opportunities for innovative wood use, improve fire mitigation efforts, or otherwise benefit communities and forested lands.

4. Projects on Agency Lists

About the Programs: Requests for any location-specific project that is included in the President's request or the fiscal year 2021 enacted Interior bill, and for which the request for funding is at or below the level in those documents, should be submitted with the Member office's programmatic requests.

Requests for location-specific projects that are **not** included in the President's request or the FY21 enacted bill, or for location-specific project funding **above** the President's request or the FY21 enacted level (whichever is higher), will be considered CDS requests. The subcommittee will have a strong preference for projects included on agency-submitted priority lists.

- **LWCF: Great American Outdoors Act, Land and Water Conservation Fund:** Pursuant to the Great American Outdoors Act of 2020 (P.L. 116-152) and the Consolidated Appropriations Act, 2021 (P.L. 116-260), prioritized project lists will accompany the President's budget request. Projects on those lists will be funded programmatically, and there will be a high bar for considering CDS requests for any projects not present on the current year's lists. While third party organizations may advocate for specific projects, note that the Grantee for federal acquisition is the federal agency that will eventually manage the land (either BLM, FWS, NPS, or USFS), or in the case of the Forest Legacy Program, it is the state.
- **LRF: Great American Outdoors Act, Legacy Restoration Fund:** Pursuant to the Great American Outdoors Act of 2020 (P.L. 116-152) and the Consolidated Appropriations Act, 2021 (P.L. 116-260), prioritized project lists for deferred maintenance projects to be funded by the National Parks and Public Lands Legacy Restoration Fund will accompany the President's budget request for BLM, FWS, NPS, USFS, and BIE schools. Projects on those lists will be funded programmatically, and there will be a high bar for considering CDS requests for any projects not present on the current year's lists. Note that the Grantee is the federal agency.
- **LMCON: Land Management Agency Construction:** The four land management agencies (BLM, FWS, NPS, and USFS) receive annual appropriations for new construction and other capital improvement projects and typically include a short list of specific projects in the President's budget request. Projects on those lists will be funded programmatically, and there will be a high bar for considering CDS requests for any projects not present on the current year's lists. Note that the Grantee is the federal agency.

"Additional Subcommittee Fields": Review the prioritized project lists accompanying the current fiscal year budget request to confirm whether the project is included.

- For Land and Water Conservation Fund (LWCF), Legacy Restoration Fund (LRF), or Land Management Agency Construction (LMCON), is the project on the relevant list provided by the administration? **Required YES or NO**

"Justification": Provide relevant details about the project. If the project is ranked low, not on the current year list, or if you are requesting a different funding amount, explain why and why it should be advanced.

5-8. Other

The subcommittee may also consider CDS within these accounts, but only on a case-by-case basis.

5. Land Management Agencies, Local Projects and Research: In order for requests to be considered within this category, they must be relevant to the specified mission area within the bureaus listed below and contribute to responsible stewardship of land, wildlife, and recreation resources or contribute to priority research areas that inform stewardship of those resources. Proposed projects should contribute to local, state, and federal efforts to benefit species, habitat, and/or enhanced stewardship of land and water resources. Project funding is not intended to primarily fund annual operations and maintenance of existing programs at the state, federal, or local level.

- BLM, Management of Land and Resources, Habitat Management Priorities – project requests may be considered for activities related to wildlife and aquatic habitat management.
- NPS, National Recreation and Preservation, Statutory and Contractual Aid – project requests may be considered for activities relating to operating, managing, and preserving

resources, including as authorized by law.

- FWS, Resource Management, Stewardship Priorities – project requests may be considered for fish and aquatic conservation, habitat conservation, recovery, and restoration activities.
- USGS, Surveys Investigations and Research, Status and Trends – project requests may be considered for high priority and core science research, and ecosystem and water resources related activities.

6. **BIA, Operation of Indian Programs, Special Initiatives:** BIA provides direct services and funding for compacts and contracts for tribes to provide programs for a wide range of activities. Within this account, requests may be considered that honor the commitment to invest in tribal communities, create economic opportunities, foster cultural heritage, promote efficient and effective tribal governance, and conserve natural resources.
7. **EPA, Science and Technology, Research:** National Priorities: Project requests may be considered for high priority lines of research related to environmental quality and human health.
8. **EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants:** Requests will only be considered for projects related to existing funding categories and activities within the STAG account that will result in improvements in environmental quality and/or human health.

“Justification”: In order to consider a request that falls into one of the “Other” categories outlined above, the subcommittee requires detailed information about the project. The Member office should use this space to make the case for the project. Member offices must answer each of the following questions in numbered format. If the question does not apply to the requested project, please explain why.

1. Describe the project and make the case for its consideration.
2. Is the recipient entity a federal agency, state agency, tribal entity, local city/county agency, university or college, or non-profit organization?
3. Does the project meet the eligibility and matching requirements for a specific grant program (provide description)?
4. Does the relevant federal agency have the authority to provide funds to this project and/or recipient (cite authority)?
5. Is the project specifically authorized (cite public law or other authority)?
6. Is the project on federal land or a federal facility?
7. Is the project funded in the President’s budget request or in the FY21 enacted Interior bill (provide amount and describe any difference between the enacted or budget level and your request)? Please note that CDS only applies to the extent the proposed project funding level is above the President’s request, or the FY21 enacted level (whichever is higher).
8. What is the federal nexus for this project and why should there be a federal funding component?
9. What is the total cost of the project?
10. Has this project received previous federal funds (provide year, amount, and program)?
11. Are there matching funds or partner contributions?
12. Is this request being submitted to other subcommittees for consideration (note subcommittee, program, amount, and other relevant information)?
13. Is the project ranked on any federal, state, or other prioritized list (provide list name and rank)?
14. What is the timeline for this project and why are federal funds required in this fiscal year?
15. What are the estimated start and completion dates for the project?
16. Can the project obligate all of the requested funding within 12 months of receipt?